



Acton Survey &
Engineering, Inc.

Since 1967

PO Box 666, 97 Great Road, Suite 6
Acton, MA 01720

Phone: 978-263-3666 Fax: 978-635-0218
actonsurvey@actonsurvey.com

9/24 (2)

Chair must open the
hearing and continue it
to March 11 @ 7:45

September 20, 2012

Acton Board of Selectmen
472 Main Street
Acton, MA 01720

Re: 40 Sudbury Road a/k/a
SPSP 7/6/11-433

Dear Board Members:

Please accept this letter as our client's request for a continuance of the public hearing for Site Plan Approval for 40 Sudbury Road until your first scheduled meeting in November. This request is being made without prejudice.

Our client is presently pursuing a permit for a single family home at the site and is expected to acquire the necessary permits in the next month and will most likely withdraw the request for Site Plan Approval.

Please contact us if the Board or Staff have require additional information pertaining to this matter.

Very truly yours,

Mark T. Donohoe, PE
for: Acton Survey & Engineering, Inc.

cc: Leo Bertolami
Richard A. Nylen, Esq.
Town Clerk
Town Planner

moat
See memo from Planning
March 11 @ 7:45

Christine Joyce

From: Mark Donohoe [MDonohoe@actonsurvey.com]
Sent: Thursday, September 20, 2012 2:08 PM
To: Roland Bartl; Christine Joyce
Cc: Steve Ledoux; Autoplex3@aol.com; Scott Mutch
Subject: RE: site plan special permit #07/06/11 - 433

Christine,

We will now go with the March meeting, if that is possible.

Please, let me or Seth know if anybody has to sign anything.

Mark Donohoe

From: Roland Bartl [mailto:rbartl@acton-ma.gov]
Sent: Thursday, September 20, 2012 12:37 PM
To: Christine Joyce
Cc: Steve Ledoux; Autoplex3@aol.com; Mark Donohoe; Scott Mutch
Subject: RE: site plan special permit #07/06/11 - 433

Double check:

1. Leo will need more time than that to figure things out. He asked for 6 months yesterday.
2. We have determined that the recently renewed State Permit Extension Act covers variances; thus the ZBA variance by statute is good until the fall of 2014 regardless of what the time limitation in the variance document says.

Roland Bartl, AICP
Planning Director
Town of Acton
472 Main Street
Acton, MA 01720
978-929-6631

From: Christine Joyce
Sent: Thursday, September 20, 2012 11:52 AM
To: Roland Bartl; 'autoplex3@hotmail.com'
Subject: FW: site plan special permit #07/06/11 - 433

I have been advised that he now wants November 5th meeting by his engineer in order that he does not lose his variance. I have revised form and will have it signed again to reflect the changes

From: Roland Bartl
Sent: Wednesday, September 19, 2012 11:08 AM
To: Christine Joyce; Autoplex3@aol.com; 'autoplex3@hotmail.com'
Subject: site plan special permit #07/06/11 - 433

Hi, Christine:

Leo has verbally requested a continuation of the site plan hearing for 6 months. Attached is a continuation form. Please, fill in the date & time for a meeting in March 2013 and then send it to Leo.

Hi, Leo:

Please sign and date the agreement and return it to Christine before the Selectmen's meeting on Monday, September 24.

Thank you

6th AGREEMENT ON TIME EXTENSION

The Board of Selectmen and the Petitioner for a Special Permit

Site Plan Special Permit

(identify type of permit)

File No. #07/06/11 - 433

Petitioner Name: Old Mill Development Trust (Leo Bertolami)

Project Name: 65 Powder Mill Road / 40 Sudbury Road

Location/Address: 65 Powder Mill Road, Acton

hereby agree to continue the Public Hearing to

(date) **March 11, 2013**

(time) 7:45 p.m.

and to extend the legally required time limit in which the Board of Selectmen must render a decision to 90 days following the date of the hearing continuance stated above.

Signed this (date) September 20, 2012

Board of Selectmen

Leo Bertolami
Petitioner, Leo Bertolami

This agreement must be filed with the Office of the Acton Town Clerk.